

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 302 be amended to read as follows:

- 1           Page 47, between lines 33 and 34, begin a new paragraph and insert:  
2           "SECTION 56. IC 25-27-1-1 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. For the purposes of  
4           this chapter:  
5           (1) "Physical therapy" means the evaluation of, administration of,  
6           or instruction in physical rehabilitative and habilitative  
7           techniques, and procedures to evaluate, prevent, correct, treat,  
8           alleviate, and limit physical disability, pathokinesiological  
9           function, bodily malfunction, pain from injury, disease, and any  
10          other physical disability, ~~or mental disorder~~, including:  
11          (A) the use of physical measures, agents, and devices for  
12          preventive and therapeutic purposes;  
13          (B) neurodevelopmental procedures;  
14          (C) the performance, interpretation, and evaluation of physical  
15          therapy tests and measurements; and  
16          (D) the provision of consultative, educational, and other  
17          advisory services for the purpose of preventing or reducing the  
18          incidence and severity of physical disability, bodily  
19          malfunction, and pain.  
20          (2) "Physical therapist" means a person who practices physical  
21          therapy as defined in this chapter.  
22          (3) "Physical therapist's assistant" means a person who assists in  
23          the practice of physical therapy as defined in this chapter.  
24          (4) "Board" refers to the medical licensing board.

(5) "Committee" refers to the Indiana physical therapy committee established under section 4 of this chapter.

(6) "Person" means an individual.

**(7) "Sharp debridement" means the removal of foreign material or dead tissue from or around a wound, without anesthesia and with generally no bleeding, through the use of:**

**(A) a sterile scalpel;**

**(B) scissors;**

**(C) forceps;**

**(D) tweezers; or**

**(E) other sharp medical instruments;**

**in order to expose healthy tissue, prevent infection, and promote healing.**

SECTION 57. IC 25-27-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. (a) Except as otherwise provided in this chapter, it is unlawful for a person to:

(1) practice physical therapy; ~~or to~~

(2) profess to be a physical therapist, physiotherapist, or physical therapy technician or to use the initials "P.T.", "P.T.T.", or "R.P.T.", or any other letters, words, abbreviations, or insignia indicating that the person is a physical therapist; or ~~to~~

(3) practice or ~~to~~ assume the duties incident to physical therapy; without first obtaining from the board a license authorizing the person to practice physical therapy in this state.

(b) **Except as provided in section 2.5 of this chapter**, it is unlawful for a person to practice physical therapy other than upon the order or referral of a physician, podiatrist, psychologist, chiropractor, or dentist holding an unlimited license to practice medicine, podiatric medicine, psychology, chiropractic, or dentistry, respectively. It is unlawful for a physical therapist to use the services of a physical therapist's assistant except as provided under this chapter. For the purposes of this subsection, the function of:

(1) teaching;

(2) doing research;

(3) providing advisory services; or

(4) conducting seminars on physical therapy;

is not considered to be a practice of physical therapy.

(c) Except as otherwise provided in this chapter, it is unlawful for a person to act as a physical therapist's assistant or to use initials, letters, words, abbreviations, or insignia indicating that the person is a physical therapist's assistant without first obtaining from the board a certificate authorizing the person to act as a physical therapist's assistant. It is unlawful for the person to act as a physical therapist's assistant other than under the direct supervision of a licensed physical therapist who is in responsible charge of a patient or under the direct supervision of a physician. However, nothing in this chapter prohibits

a person licensed or registered in this state under another law from engaging in the practice for which the person is licensed or registered. These exempted persons include persons engaged in the practice of osteopathy, chiropractic, or podiatric medicine.

(d) **Except as provided in section 2.5 of this chapter**, this chapter does not authorize a person who is licensed as a physical therapist or certified as a physical therapist's assistant to:

- (1) evaluate any physical disability or mental disorder except upon the order or referral of a physician, podiatrist, psychologist, chiropractor, or dentist;
- (2) practice medicine, surgery (as described in IC 25-22.5-1-1.1(a)(1)(C)), dentistry, optometry, osteopathy, psychology, chiropractic, or podiatric medicine; or
- (3) prescribe a drug or other remedial substance used in medicine.

SECTION 58. IC 25-27-1-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 2.5. (a) A physical therapist may evaluate, but may not treat, an individual without a referral from a provider described in section 2(b) of this chapter. However, the physical therapist:**

- (1) shall contact the individual's appropriate provider for a referral not later than three (3) business days after the physical therapist evaluates the individual; and**
- (2) shall obtain a referral from the individual's appropriate provider before providing treatment to the individual.**

**(b) Notwithstanding subsection (a), a physical therapist may provide treatment of a condition to an individual who was previously referred to the physical therapist for the same condition if the referral that authorized the previous treatment under section 2(b) of this chapter was given not more than three (3) months before the date the individual requests the later treatment from the physical therapist. However, the physical therapist shall consult with the individual's original referring provider not later than three (3) days after the physical therapist provides the later treatment to the individual under this subsection.**

SECTION 59. IC 25-27-1-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 3.5. A physical therapist may not perform sharp debridement unless the physical therapist performing the sharp debridement is acting on the order of a physician licensed under:**

- (1) IC 25-22.5; or**
- (2) IC 25-29.**

SECTION 60. IC 25-27-1-3.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 3.7. A physical therapist may**

1 perform spinal manipulation or grade 1 through 5 mobilization if  
2 the physical therapist meets the following qualifications that have  
3 been approved by the medical licensing board:

4 (1) Has graduated from:

5 (A) an entry level doctor of physical therapy program; or

6 (B) another physical therapy program if the physical  
7 therapist submits documentation that training on spinal  
8 manipulation and grades 1 through 5 mobilization  
9 techniques were part of the program's education  
10 curriculum.

11 (2) Holds:

12 (A) an orthopedic clinical specialist; or

13 (B) a sports clinical specialist;

14 certification from the American Board of Physical Therapy  
15 Specialities or its successor and provides documentation that  
16 spinal manipulation and grades 1 through 5 mobilization  
17 techniques were part of the curriculum.

18 (3) Completes a formal, credentialed manual therapy  
19 fellowship or residency program.

20 (4) Successfully completes post entry level education in spinal  
21 manipulation and grades 1 through 5 mobilization  
22 techniques.".

23 Renumber all SECTIONS consecutively.

(Reference is to ESB 302 as printed February 22, 2008.)

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Representative Frizzell